IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 4857 of 2005

Between:

J.V.Chenna Reddy s/o.J.Jangam Reddy,

Aged about 58 years, R/o.H.No.4/54, Kotapadu Village,

Sirvel Mandal, Kurnool District.

..... PETITIONER

AND

1. The Joint Collector, Kurnool,

Kurnool District.

2. The Revenue Divisional Officer,

Nandyal, Kurnool District.

3. The Mandal Revenue Officer,

Sirvel, Sirvel Mandal, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate Writ, Order or Direction directing the respondents to continue the petitioner as F.P.Shop Dealer of Kotapadu village, Sirvel Mandal, Kurnool District, by declaring the order passed by the 2nd respondent

herein in proceedings Rc.E/249/2005 dated 2.3.2005 as arbitrary, illegal, violation of principles of natural justice and unconstitutional.

Counsel for the petitioner: Mr.T.Nagarjuna Reddy

Counsel for the respondents: Govt. Pleader for Civil Supplies

The Court made the following:

ORDER:

It is stated that the petitioner is a Fair Price Shop dealer for the last 35 years and he has been carrying on the business without any stigma. While the matters stood thus, on an alleged inspection report of the Mandal Revenue Officer, Sirvel, the Revenue Divisional Officer, Nandyal, has suspended the authorization of the petitioner on 2.3.2005. Against which, the petitioner filed an appeal on 4.3.2005 before the Joint Collector, Kurnool, the first respondent herein, along with an application for grant of stay. The stay application was heard by the first respondent on the same day i.e., 4.3.2005, but no orders have been passed so far.

As the stay application is pending before the first respondent, I am not inclined to express any opinion and it is just and proper to

consider and dispose of the said application as expeditiously as possible.

The writ petition is, accordingly, disposed of directing the first respondent to consider and dispose of the stay application pending disposal of the appeal within one week from the date of receipt of a copy of this order. No order as to costs.

_____ 31.3.2005

Note:

Issue copy within two days

B.O.

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To

1. The Joint Collector, Kurnool,

Kurnool District.

2. The Revenue Divisional Officer,

Nandyal, Kurnool District.

3. The Mandal Revenue Officer,

Sirvel, Sirvel Mandal, Kurnool District.

4. 2 copies to the Govt. Pleader for Civil Supplies, High Court Buildings,

Hyderabad.

5. 2 C.D. copies